

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Ninety-sixth Legislature

OF THE

STATE OF MAINE

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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Ninety-sixth Legislature

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thereby; and when so made and signed, whether said agreement is, or is called a note, lease, conditional sale, purchase on instalments, or by any other name, and in whatever form it may be, it shall not be valid, except as between the original parties thereto, unless it or a memorandum thereof is recorded in the office of the clerk of the city, town or plantation organized for any purpose, in which the purchaser resides at the time of the purchase; but if any of the purchasers are not residents of the state, or reside in an unorganized place in the state, then in the registry of deeds in the county where the seller resides at the time of the sale. The fee for recording the same shall be the same as that for recording mortgages of personal property. All such property, whether said agreements are recorded or not, shall be subject to redemption and to trustee process as provided in section 50 of chapter 101, but the title may be foreclosed in the same manner as is provided for mortgages of personal property.

A statement signed by the party to be bound, describing the parties and the personal property bargained and delivered, and stating the date of the sale, the amount remaining unpaid, the terms of payment, and that it is a memorandum of an agreement that personal property bargained and delivered to another shall remain the property of the seller until paid for, shall constitute a memorandum within the meaning of this section. The recording of such a memorandum shall make effective all the terms of the agreement as effectively as if said agreement had been recorded in full.

Such agreement or memorandum as provided in the preceding paragraph paragraphs shall be binding upon a husband only when signed by him. Any person who permits a wife to sign her husband's name to any such agreement or memorandum without his written authority to do so, when such person is acting as the other party thereto, or as his agent, shall be punished by a fine of not more than \$1,000, or by imprisonment for not more than 11 months, or by both such fine and imprisonment.'

Effective August 8, 1953

Chapter 160

AN ACT Relating to Dismissal and Disciplinary Action Under the State Personnel Law.

Be it enacted by the People of the State of Maine, as follows:

R. S., c. 59, § 16, amended. Section 16 of chapter 59 of the revised statutes is hereby amended to read as follows:

'Sec. 16. Dismissal and disciplinary action. An appointing authority may dismiss, suspend or otherwise discipline a classified employee ~~when-
ever he considers the good of the service to be served thereby~~ for cause. In every case of such dismissal, suspension, or other disciplinary action, at the request of the ~~dismissed~~ employee, the board shall investigate the circumstances relating to the ~~dismissal~~ action, and the fairness thereof, and if it shall find the charges unwarranted, the board shall order the immediate reinstatement of the affected employee to his former position with no loss of pay, seniority, or other rights and benefits resulting from the dismissal or disciplinary action. At the request of the employee the board may recommend the transfer of the ~~dismissed~~ employee to the same or a similar class of position in another department or institution, provided that such transfer shall be made to such department or institution only with the approval of the appointing authority thereof. ~~In case such transfer is not affected, the name of the dismissed employee may be placed on the appropriate eligible register~~

At the request of the employee, the board shall investigate the circumstances relating to an action of an appointing authority which lays off, demotes or otherwise deprives an employee of rights established by this chapter or by rules prescribed in subsection II of section 4, and if it shall find the action to be contrary to said chapter and rules, the board shall order the immediate reinstatement of the employee to his former position with no loss of pay, seniority or other rights or benefits resulting from such action.'

Effective August 8, 1953

Chapter 161

AN ACT Relating to the Admissibility of Blood Tests in Criminal Cases.

Be it enacted by the People of the State of Maine, as follows:

R. S., c. 19, § 121, amended. The 1st paragraph of section 121 of chapter 19 of the revised statutes is hereby amended to read as follows:

'Whoever shall operate or attempt to operate a motor vehicle upon any way, or in any other place when intoxicated or at all under the influence of intoxicating liquor or drugs, upon conviction, shall be punished by a fine of not less than \$100, nor more than \$1,000, or by imprisonment for not less than 30 days, nor more than 11 months, or by both such fine and imprisonment. Any person convicted of a 2nd or subsequent offense shall be punished by imprisonment for not less than 3, nor more than 11 months,